

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

|                          |   |             |
|--------------------------|---|-------------|
| AARON KEITH BLACKNELL,   | ) |             |
|                          | ) |             |
| Petitioner,              | ) |             |
|                          | ) | 1:05cv00688 |
| v.                       | ) | 1:00cr250-1 |
|                          | ) | 1:00cr251-2 |
| UNITED STATES OF AMERICA | ) | 1:00cr312-1 |
|                          | ) |             |
| Respondent.              | ) |             |
| _____                    | ) |             |

ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION

On February 1, 2006, Magistrate Judge Wallace W. Dixon filed his Recommendation [Doc. # 6]<sup>1</sup> that Respondent's Motion to Dismiss [Doc. # 3] be granted, Petitioner's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence [Doc. # 1] be denied, and Judgment be entered dismissing this action. Also on February 1, 2006, the parties were mailed notification of the Recommendation filing. Petitioner Aaron Keith Blacknell, timely filed an Objection to the Recommendation on February 15, 2006 [Doc. # 8]. Respondent the United States of America did not file a response.

The Court has reviewed de novo the Recommendation of the Magistrate Judge and adopts that Recommendation. Thus, for the reasons set out in the

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<sup>1</sup>This and all further citations to the record are to the civil case, 1:05cv00688.

Recommendation, the Respondent's Motion to Dismiss [Doc. # 3] is GRANTED and  
Petitioner's Motion to Vacate, Set Aside or Correct Sentence [Doc. # 1] is DENIED.

This the 25th day of October, 2007.

/s/ N. Carlton Tilley, Jr.  
United States District Judge